

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 9/16/2010 was filed after the mailing date of the Notice of Allowance on 06/16/2010. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is has been considered by the examiner.

The references within the IDS dated 09/16/2010 do not appear to read on the applicant's invention in that the forces for the cardiac therapy device are not the same. For instance, the forces in the applicant's invention create a force which allows the cardiac chambers to fill (an outward normal force), whereas the references provided supply a force in the opposite direction, i.e. pushing in on the ventricle to keep the heart from becoming overly enlarged and/or dilated.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAULA J. STICE whose telephone number is (571) 270-1478. The examiner can normally be reached on Monday - Friday 8AM-5PM, Est., alternating Friday's.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Layno can be reached on (571) 272-4949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/PAULA J. STICE/
Examiner, Art Unit 3766

/Carl H. Layno/
Supervisory Patent Examiner, Art
Unit 3766